

COUNTERFEIT/SUSPECT MATERIALS (2-94)

1.0 NEW MATERIALS

Unless this subcontract specifies otherwise, the supplies and components to be delivered under this subcontract shall be new (not used or reconditioned) and shall not be of such an age or so deteriorated as to impair their usefulness or safety.

2.0 FASTNERS

2.1 DOE Head Mark List for Fasteners

DOE has determined that SAE Grades 5, 8, and 8.2 and ASTM Grade A325 fasteners, identified on the reverse side hereof, cannot be introduced into DOE facilities. Therefore, such fasteners shall not be provided as deliverable end items or incorporated into deliverable end items under this subcontract.

2.2 The Fastener Quality Act, P.L. 101-592

(a) After the requirements of the Fastener Quality Act (the Act) becomes applicable in accordance with its Section 15, and except as provided in Section 5(a)(2) of the Act concerning lots of 50 or fewer fasteners, no "fastener" as defined in the Act and regulations issued thereunder by the Secretary of Commerce shall be supplied to the Company as a deliverable end item or incorporated into deliverable end items unless it is part of a lot that:

(1) Conforms to the standards and specifications to which the manufacturer represents it has been manufactured; and

(2) Has been inspected, tested, and certified as required by Section 5, Subsections (b) and (c) of the Act.

(b) Written certifications required by the Act shall be provided to the Company by the Seller upon request.

(c) Nothing in this clause shall prohibit the Company from requiring in the Subcontract the inspection and testing of a greater number of fasteners from a lot than is specified in the applicable standards or specifications to which the manufacturer represents the fasteners to have been manufactured or in the applicable sampling procedures specified by the Secretary of commerce.

3.0 MOLDED CASE CIRCUIT BREAKERS

(a) Condition. Molded case circuit breakers that cannot be substantiated by the Seller as new, or that give an appearance to Company inspectors or electricians of having been used, refurbished, or reconditioned may be rejected by the company on the basis of appearance alone.

(b) Confirmation of Source and Performance Characteristics. The Company may obtain an opinion concerning legitimacy of the equipment from the original manufacturer. Such opinion shall be a sufficient basis for rejection of any molded case circuit breaker material provided by the Seller. In addition to other rights provided by law or this subcontract, the company may reject the equipment provided by the Seller that does not meet the original manufacturer's published performance requirements for the equipment.

(c) Additional Requirements for Molded Case Circuit Breakers. (1) If a molded case circuit breaker is not provided by the Seller in the original manufacturer's packaging, the Seller shall notify the Company prior to shipment and shall provide the specific identification and markings of the container(s) to be supplied.

(2) The original manufacturer's markings, date code if used, and labels shall not have been altered or removed from the molded case circuit breaker.

(3) The handle of the molded case circuit breaker shall show the original manufacturer's rating in a "hot stamp," which shall not be subsequently altered or obliterated.

(4) Terminal configuration and hardware shall not have been altered or modified from the original equipment provided by the manufacturer.

(5) All molded case circuit breakers shall be Underwriters' Laboratory (UL) rated, listed, approved, and accordingly labeled.

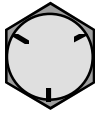
4.0 SUSPECT/COUNTERFEIT ITEM

(a) A suspect part or item is considered one where documentation, appearance, performance, material, or other characteristics may have been knowingly misrepresented by the vendor, supplier, distributor, or manufacturer.

(b) DOE G 440.1 contains guidance concerning other materials that have been counterfeited. The Seller's familiarity with the materials and the process in place to disposition these materials is paramount to facility operation.

DOE's Suspect Bolt Headmark List

1. All Grade 5 and Grade 8 fasteners of foreign origin which do not bear any manufacturer's headmarks:



Grade 5



Grade 8

2. Grade 5 fasteners with the following manufacturers' headmarks:



J Jinn Her (TW)



KS Kosaka Kogyo (JP)

3. Grade 8 fasteners with the following manufacturers' headmarks:



A Asahi Mfg (JP)



KS Kosaka Kogyo (JP)



NF Nippon Fasteners (JP)



RT Takai Ltd (JP)



H Hinomoto Metal (JP)



FM Fastener Co (of JP)



M Minamida Sieybo (JP)



KY Kyohei (JP)



MS Minato Kogyo (JP)



J Jinn Her (JP)



E Daiei (JP)



UNY Unytite (JP)



Hollow
Triangle

Infasco Co. (CA TW JP YU)
(sizes greater than 1/2-in dia)

4. Grade 8.2 fasteners with the following headmarks:



KS Kosaka Kogyo (JP)

5. Grade A325 Fasteners (Bennett Denver Target only) with the following headmarks: A325 KS Kosaka Kogyo (JP)



Type 1



Type 2



Type 3

6. Key: (CA)-Canada; (JP)-Japan; (TW)-Taiwan; (YU)-Yugoslavia